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Special Division

Re: Division No.: 98-1—In re: Bruce Edward Babbitt

Dear Mr. Langer:

This law firm represents David Mercer, former Deputy Finance Director for the Democratic National Committee ("DNC"). Pursuant to your letter dated March 3, 2000, we have reviewed on Mr. Mercer's behalf those portions of Independent Counsel Bruce's Final Report (the "Report") that refer or directly relate to Mr. Mercer. This letter constitutes Mr. Mercer's comments for inclusion in an appendix to the Report.

Mr. Mercer is pleased with the Report's conclusion that the Independent Counsel did not find proof that the DNC or its officials participated in any criminal "quid pro quo" arrangement relating to political contributions and Administration actions in this matter. Mr. Mercer is aware of no information that is inconsistent with this conclusion.

Mr. Mercer cooperated fully and truthfully with the Independent Counsel's investigation. He voluntarily met with staff attorneys and investigators on several occasions as requested. He answered every question put to him to the best of his knowledge and recollection. He appeared voluntarily to testify under oath before the Grand Jury, and answered completely and truthfully every question posed to him in that forum.